

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 48-5-41 of the Official Code of Georgia Annotated, relating to property exempt from ad valorem tax, so as to provide for an exemption for certain nonprofit museums; to provide for a referendum, applicability, and effective dates; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 48-5-41 of the Official Code of Georgia Annotated, relating to property exempt from ad valorem tax, is amended by striking paragraph (10) of subsection (a) and inserting in its place a new paragraph (10) to read as follows:

"(10) ~~Reserved~~ All property owned by and operated exclusively as a museum when such museum is qualified as a nonprofit museum under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended."

SECTION 2.

Unless prohibited by the federal Voting Rights Act of 1965, as amended, the Secretary of State shall call and conduct an election as provided in this section for the purpose of submitting this Act to the electors of the State of Georgia for approval or rejection. The Secretary of State shall conduct that election on the date of the November, 2006, state-wide general election. The Secretary of State shall issue the call and conduct that special election as provided by general law. The Secretary of State shall cause the date and purpose of the special election to be published in the official organ of each county in the state once a week for two weeks immediately preceding the date of the referendum. The ballot shall have written thereon the following:

1 "() YES Shall the Act be approved which grants an exemption from ad valorem
2 () NO taxation on property owned by and operated exclusively as a nonprofit
3 museum?"

4 All persons desiring to vote for approval of the Act shall vote "Yes," and those persons
5 desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes
6 cast on such question are for approval of the Act, then Section 1 of this Act shall become
7 effective on January 1, 2007, and shall apply to all taxable years beginning on or after that
8 date. If Section 1 of this Act is not so approved or if the election is not conducted as
9 provided in this section, Section 1 of this Act shall not become effective and this Act shall
10 be automatically repealed on the first day of January immediately following that election
11 date.

12 **SECTION 3.**

13 Except as otherwise provided in Section 2 of this Act, this Act shall become effective upon
14 its approval by the Governor or upon its becoming law without such approval.

15 **SECTION 4.**

16 All laws and parts of laws in conflict with this Act are repealed.